

1 [Opposing The Reauthorization of Patriot Act Provisions]

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3 **Resolution urging Senator Barbara Boxer, Senator Dianne Feinstein and U.S.**  
4 **Representative Nancy Pelosi to oppose any attempts to expand the Patriot Act, to**  
5 **prevent the reauthorization of any Patriot Act provisions, and to allow Patriot Act**  
6 **provisions to expire.**

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8 WHEREAS, The USA Patriot Act was enacted a mere 45 days after the September 11  
9 attacks; and,

10 WHEREAS, At the time of enactment, Congress overwhelmingly voted to make certain  
11 Patriot Act provisions subject to review and expiration; and,

12 WHEREAS, Congress will soon consider the 10% of the Act which will expire and  
13 sunset in December of 2005; and,

14 WHEREAS, The Act's provisions radically curtail the fundamental checks and balances  
15 needed to prevent abuses by federal law enforcement through revision of the nation's  
16 surveillance laws, expansion of the government's authority to spy on its own citizens,  
17 decreasing judicial oversight; and,

18 WHEREAS, The Act's provisions significantly weakened standard constitutional  
19 protections including the Fourteenth Amendment right to due process, the Fourth Amendment  
20 right to privacy, the First Amendment freedoms of speech, religion, and the press; and,

21 WHEREAS, Under current provisions of the Act, the government can conduct "sneak  
22 and peak" searches of homes without any notification, get a list of books obtained by any  
23 citizen through the local library or bookstore, seek criminal prosecution of anyone failing to  
24 comply with the Act even if compliance means the violation of constitutional rights; and,

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1           WHEREAS, The federal government has not demonstrated whether such activities  
2 deter terrorism; and,

3           WHEREAS, The Department of Justice has not provided specific details to the public  
4 on how the Patriot Act provisions have been implemented and used; and,

5           WHEREAS, The 9/11 Commission provided recommendations that curtail the scope  
6 federal investigative authority under the Act; now therefore, be it

7           RESOLVED, That the San Francisco Board of Supervisors encourages Congress to  
8 engage in a full and open debate of the provisions scheduled to sunset as well as all other  
9 provisions of the Act that expand federal powers at the expense of constitutional rights; and,  
10 be it

11           FURTHER RESOLVED, That the San Francisco Board of Supervisors encourages  
12 careful review of any new powers granted to law enforcement by the Patriot Act; and, be it

13           FURTHER RESOLVED, That the San Francisco Board of Supervisors recommends  
14 that any modification of powers in the Patriot Act are for the increased protection of civil  
15 liberties guaranteed in the Constitution; and, be it

16           FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Congress  
17 to ensure that all Patriot Act provisions that violate the Constitution be struck from the Act;  
18 and, be it

19           FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Congress  
20 to restore and protect our traditional system of checks and balances; and, be it

21           FURTHER RESOLVED, That the San Francisco Board of Supervisors urges that the  
22 State's elected officials to Congress oppose any attempts to expand Patriot Act provisions, to  
23 prevent the reauthorization of the provisions scheduled to sunset and to let such provisions  
24 expire; and, be it

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1            FURTHER RESOLVED, That copies of this resolution be sent to Senator Dianne  
2 Feinstein, Senator Barbara Boxer, and U.S. Representative Nancy Pelosi.

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